IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application	PATENT APPLICATION
Inventor(s): Michael Kovacs	
Appl. No.: 10/772,613	Art Unit: 2174
Confirm. No.: 5069	Examiner: Muhebbullah, Sajeda
Filed: February 5, 2004	
Title: SYSTEM AND METHOD FOR MANIPULATING ENTERPRISE APPLICATION DEPLOYMENT DESCRIPTORS	**Customer No. 23910**

REQUEST FOR REFUND OF EXCESS FEES PAID UNDER 37 C.F.R. 1.26

Mail Stop 16
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In connection with the above-identified patent application, on August 27, 2007, Applicants timely electronically-filed their Response Under 37 C.F.R. §1.111 to the Office Action dated June 18, 2007. The Response was received by the United States Patent & Trademark Office on August 27, 2007 (copy of USPTO-Patent Electronic Filing Acknowledgment Receipt attached).

In Applicants' Response, one New dependent claim was added to the listing of claims. Applicants paid the required excess claims fee in the amount of $50.00 (large entity) by charging said fee to Deposit Account No. 06-1325.

On September 14, 2007, a routine review of the Deposit Account Statement for Deposit Account No. 06-1325, in the name of Fliesler Meyer LLP, revealed that on September 6, 2007, the above $50.00 charge had been deducted from the Deposit account, along with an additional $200.00 charged to the application number above.

- 1 -

A review of the USPTO Patent Application Information Retrieval (PAIR) Image File Wrapper for the above application showed that the additional New claim was erroneously charged as an Independent claim, and therefore, Deposit Account No. 06-1325 was charged an additional $200.00. We believe this additional $200.00 charge is in error. (Copy of the USPTO Patent Application Fee Determination Record for Application No. 10/772,613 showing the erroneous charge is attached).

Pursuant to 37 C.F.R. § 1.26(b), Applicants respectfully request a refund of the $200.00 fee erroneously charged to Deposit Account No. 06-1325. A copy of the Deposit Account Statement for said Deposit Account showing the entry deducting the $200.00 charge is attached.

Pursuant to 37 C.F.R. § 1.26(b) this request for refund is being submitted within two years from the date the above erroneous charge was deducted from Deposit Account No. 06-1325 identified above.

Please credit the above refund to Deposit Account No. 06-1325.

Respectfully submitted,

Date: 09-28-07   By: /Kuiran (Ted) Liu/
                                                    Kuiran (Ted) Liu
                                                    Reg. No. 60,039

FLIESLER MEYER LLP
650 California Street, Fourteenth Floor
San Francisco, California 94108
Telephone: (415) 362-3800
Customer No. 23910

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Acknowledgement Receipt

The USPTO has received your submission at **19:20:58** Eastern Time on **27-AUG-2007** by Deposit Account: 061325.

$ **50** fee paid by e-Filer via *RAM* with Confirmation Number: 3487.

You have also pre-authorized the following payments from your USPTO Deposit Account:

Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17

eFiled Application Information

EFS ID	2105832
Application Number	10772613
Confirmation Number	5069
Title	System and method for manipulating enterprise application deployment descriptors
First Named Inventor	Michael Kovacs
Customer Number or Correspondence Address	23910
Filed By	Kuiran Liu/Patricia Diehl
Attorney Docket Number	BEAS-01301US1
Filing Date	05-FEB-2004
Receipt Date	27-AUG-2007
Application Type	Utility under 35 USC 111 (a)

Application Details

Submitted Files	Page Count	Document Description	File Size	Warnings
1301US1-Response_to_6-18-07_OA.pdf	12		332233 bytes	◆ PASS

Document Description	Page Start	Page End
Amendment - After Non-Final Rejection	1	1
Claims	2	9
Applicant Arguments/Remarks Made in an Amendment	10	12

Submitted Files	Page Count	Document Description	File Size	Warnings
fee-info.pdf	2	Fee Worksheet (PTO-06)	8173 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

<u>National Stage of an International Application under 35 U.S.C. 371</u>

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

<u>New International Application Filed with the USPTO as a Receiving Office</u>

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

If you need help:

- *Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent e-Filing.*
- *Send general questions about USPTO programs to the USPTO Contact Center (UCC).*
- *If you experience technical difficulties or problems with this application, please report them via e-mail to Electronic Business Support or call 1 800-786-9199.*

**United States
Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month:	September 2007
Deposit Account Number:	061325
Name:	FLIESLER MEYER LLP
Attention:	
Street Address 1:	650 CALIFORNIA STREET, 14TH FLOOR
Street Address 2:	
City:	SAN FRANCISCO
State:	CA
Zip:	94108
Country:	UNITED STATES

09/06	4783	11832375	BEAS-02039US4	1051	$130.00	$9,648.44
09/06	4806	11832389	BEAS-02039US7	1051	$130.00	$9,518.44
09/06	5125	10618380	BEAS-01364US0	1806	$180.00	$9,338.44
09/06	5306	10271407	FXPL-01046US0	1501	$1,400.00	$7,938.44
09/06	5308	10271407	FXPL-01046US0	1504	$300.00	$7,638.44
09/06	5	10772613	BEAS-01301US1	1201	$200.00	$7,438.44
09/06	6	10772613	BEAS-01301US1	1202	$50.00	$7,388.44

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 09/06/2007

SMORELAN   SALE #00000004   Mailroom Dt: 08/27/2007   061325   10772613
            01   FC : 1201   200.00 DA

PATENT APPLICATION FEE DETERMINATION RECORD
Effective December 8, 2004

10772613

CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TAL CLAIMS		
R	NUMBER FILED	NUMBER EXTRA
TAL CHARGEABLE CLAIMS	27 minus 20 =	7
EPENDENT CLAIMS	4 minus 3 =	1
TIPLE DEPENDENT CLAIM PRESENT		☐

he difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY TYPE ☐		OR	OTHER THAN SMALL ENTITY	
RATE	FEE		RATE	FEE
BASIC FEE	150.00	OR	BASIC FEE	300.00
X$ 25 =		OR	X$50 =	
X100 =		OR	X200 =	
+180 =		OR	+360 =	
TOTAL		OR	TOTAL	

CLAIMS AS AMENDED - PART II

8/17/07

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
otal	28	Minus	27	= 1
ndependent	3	Minus	4	= 1
IRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 25 =		OR	X$50 =	50 00
X100 =		OR	X200 =	200 00
+180 =		OR	+360 =	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
xal		Minus		=
dependent		Minus		=
RST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 25 =		OR	X$50 =	
X100 =		OR	X200 =	
+180 =		OR	+360 =	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

	(Column 1) CLAIMS REMAINING AFTER AMENDMENT		(Column 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Column 3) PRESENT EXTRA
lal		Minus		=
lependent		Minus		=
RST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				☐

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X$ 25 =		OR	X$50 =	
X100 =		OR	X200 =	
+180 =		OR	+360 =	